

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

MIDAMERICAN ENERGY COMPANY,
BLACK HILLS/IOWAGAS UTILITY
COMPANY, LLC d/b/a BLACK HILLS
ENERGY, IOWA ASSOCIATION OF
ELECTRIC COOPERATIVES,
INTERSTATE POWER AND LIGHT
COMPANY, and IOWA ASSOCIATION OF
MUNICIPAL UTILITIES,

Petitioners,

v.

IOWA UTILITIES BOARD, A DIVISION
OF THE DEPARTMENT OF COMMERCE,
STATE OF IOWA,

Respondent.

Case No. CVCV064145

**MOTION FOR LEAVE TO FILE
STATEMENT IN LIEU OF BRIEF**

COMES NOW, the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, and hereby requests leave to file a Statement in Lieu of Brief in this matter. In support of this request, OCA states as follows:

1. On August 12, 2022, the Petitioners initiated this judicial review proceeding. However, OCA was not provided service of the original notice.
2. On November 8, 2022, OCA filed an Appearance in this matter for the purposes of intervening and participating in this judicial review proceeding, pursuant to Iowa Code section 17A.19(2) (2021). The OCA was a party of record in the proceeding for this matter before the Iowa Utilities Board.
3. OCA's Appearance is awaiting approval by the Court.
4. On August 26, 2022, this Court entered an Order establishing a procedural

schedule for this matter. The procedural schedule provided that Petitioner briefs are due on or before November 10, 2022.

5. While OCA is not a petitioner in this matter, OCA's position before the Board in the underlying proceeding generally supports the Petitioners' position. Therefore, OCA believes that its position should be submitted to the Court on the same date as the Petitioners' brief. Since OCA's Appearance has not yet been approved by the Court, OCA seeks leave to file its Statement in Lieu of brief, which is being filed simultaneously with this motion.

WHEREFORE, the OCA respectfully requests the Court grant this Motion and accept the Statement in Lieu of Brief, which is filed simultaneously with this motion.

Respectfully submitted,

Jennifer C. Easler
Consumer Advocate

By: /s/ Jennifer L. Johnson
Jennifer L. Johnson, AT0007344

OFFICE OF CONSUMER ADVOCATE
1375 East Court Avenue
Des Moines, Iowa 50319-0063
Telephone: (515) 725-7200
E-mail: Jennifer.Johnson@oca.iowa.gov

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2022 the foregoing document was filed with the Clerk of Court using the EDMS system which will send electronic notice of the filing to the parties of record.

/s/ Jennifer Johnson

Jennifer Johnson